

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

Attorney's Docket Number

1268-073

(Includes Reference to PCT International Application(s))

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CHIMERIC TOXINS FOR TARGETED THERAPY

the specification of which:

☐ is attached hereto.☒ was filed as United States application Serial No. 09/147,346on December 4, 1998and was amended on December 4, 1998 (if applicable).☒ was filed as PCT international application Number PCT/IL97/00180on 4 June 1997

and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or Section 365(b) of any foreign and/or international application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

| COUNTRY<br>(If PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED<br>UNDER 35 USC 119                                |
|-------------------------------------|--------------------|--------------------------------------|---|
| Israel                              | 118570             | 4 June 1996                          | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

**PRIOR PROVISIONAL APPLICATION(S):**

| Application Number | Filing Date |
|--------------------|-------------|
|                    |             |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

| U.S. APPLICATIONS                     |                  |                                       | STATUS (Check One) |         |           |
|---------------------------------------|------------------|---------------------------------------|--------------------|---------|-----------|
| U.S. Application Number               | U.S. Filing Date |                                       | Patented           | Pending | Abandoned |
|                                       |                  |                                       |                    |         |           |
|                                       |                  |                                       |                    |         |           |
|                                       |                  |                                       |                    |         |           |
|                                       |                  |                                       |                    |         |           |
| PCT APPLICATIONS DESIGNATING THE U.S. |                  |                                       |                    |         |           |
| PCT Application No.                   | PCT Filing Date  | U.S. Serial Numbers Assigned (if any) |                    |         |           |
|                                       |                  |                                       |                    |         |           |
|                                       |                  |                                       |                    |         |           |
|                                       |                  |                                       |                    |         |           |

**POWER OF ATTORNEY:** As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Allan M. Lowe, Reg. No. 19,641; Israel Gopstein, Reg. No. 27,333; Benjamin J. Hauptman, Reg. No. 29,310; Kenneth M. Berner, Reg. No. 37,093 and Michael G. Gilman, Reg. No. 19,114.

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|     |                           |  |  |  |
|-----|---------------------------|--|--|--|
| 201 | Full Name of Inventor     | Family Name<br><u>YARKONI</u>                        | First Given Name<br><u>Shai</u>                  | Second Given Name                        |
|     | Residence and Citizenship | City<br><u>Kfar Saba</u>                             | State or Foreign Country<br><u>ILX</u><br>Israel | Country of Citizenship<br>Israel         |
|     | Post Office Address       | Post Office Address<br><u>Halamed Heh Street 33</u>  | City<br><u>Kfar Saba</u>                         | State & Zip Code/Country<br>44395 Israel |
| 202 | Full Name of Inventor     | Family Name<br><u>NECHUSHTAN</u>                     | First Given Name<br><u>Amotz</u>                 | Second Given Name                        |
|     | Residence and Citizenship | City<br><u>Ramat Hasharon</u>                        | State or Foreign Country<br><u>ILX</u><br>Israel | Country of Citizenship<br>Israel         |
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| 203 | Full Name of Inventor     | Family Name<br><u>LORBERBOUM-GALSKI</u>              | First Given Name<br><u>Haya</u>                  | Second Given Name                        |
|     | Residence and Citizenship | City<br><u>Jerusalem</u>                             | State or Foreign Country<br><u>ILX</u><br>Israel | Country of Citizenship<br>Israel         |
|     | Post Office Address       | Post Office Address<br><u>Bar Kochva Street 72/3</u> | City<br><u>Jerusalem</u>                         | State & Zip Code/Country<br>97875 Israel |

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of application or any patent issuing thereon.

|   |   |   |
|---|---|---|
| Signature of Inventor 201:<br><u>Yarkoni Shai</u> | Signature of Inventor 202:<br><u>Amotz Nechushtan</u> | Signature of Inventor 203:<br><u>Lorberbaum - Galski Haya</u> |
| Date: <u>Feb 10, 99</u>                           | Date: <u>Feb. 1. 99</u>                               | Date: <u>January 25, 1999</u>                                 |

## ADDITIONAL INVENTOR

|     |                           |   |                                    |  |
|-----|---------------------------|---|------------------------------------|--|
| 204 | Full Name of Inventor     | Family Name<br>MARIANOVSKY  | First Given Name<br>Irina          | Second Given Name                        |
|     | Residence and Citizenship | City<br>Jerusalem   | State or Foreign Country<br>Israel | Country of Citizenship<br>Israel         |
|     | Post Office Address       | Post Office Address<br>Medical School of Hadasa, Dept. of<br>Cellular Biochemistry, Ein Karem | City<br>Jerusalem                  | State & Zip Code/Country<br>91120 Israel |
| 205 | Full Name of Inventor     | Family Name   | First Given Name                   | Second Given Name                        |
|     | Residence and Citizenship | City  | State or Foreign Country           | Country of Citizenship                   |
|     | Post Office Address       | Post Office Address   | City                               | State & Zip Code/Country                 |
| 206 | Full Name of Inventor     | Family Name   | First Given Name                   | Second Given Name                        |
|     | Residence and Citizenship | City  | State or Foreign Country           | Country of Citizenship                   |
|     | Post Office Address       | Post Office Address   | City                               | State & Zip Code/Country                 |

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of application or any patent issuing thereon.

Signature of Inventor 204:

Signature of Inventor 205:

Signature of Inventor 206:

Date

Feb. 10. 99

Date

Date

Applicant or Patentee: Shai YARKONI et al. MEIR MOAMP 5185499Attorney's Docket No.: 1268-073Serial or Patent No.: 09/147,346Filed or Issued: December 4, 1998For: CHIMERIC TOXINS FOR TARGETED THERAPY**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF ORGANIZATION: Yissum Research development Company of the Hebrew University of JerusalemADDRESS OF ORGANIZATION: Jabotinsky Street 46, 91042 Jerusalem, ISRAEL

I hereby declare that the above identified small business concern qualified as a small business concern as defined in 13 CFR 121.5-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled CHIMERIC TOXINS FOR TARGETED THERAPY by inventor(s) Shai YARKONI et al. described in

- ☐ the specification filed herewith.  
☒ application Serial No. 09/147,346, filed December 4, 1998.  
☐ patent no., issued.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Mordehai PerlmutterTITLE IN ORGANIZATION: Managing Director & CEOADDRESS OF PERSON SIGNING: 46 Jabotinsky St. POB 4279, Jerusalem 91042, Israel

SIGNATURE: \_\_\_\_\_

DATE: January 31, 1999

**YISSUM**  
RESEARCH DEVELOPMENT COMPANY  
OF THE  
HEBREW UNIVERSITY OF JERUSALEM